

**ABELSON & TRUESDALE, LLC**

By: Bruce C. Truesdale, Esq.

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Attorney for Debtors

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:

ROBERT K. BRYANT  
LYNN E. BRYANT

Debtors

Case No. 12-33883 (MBK)  
Chapter 13

**CERTIFICATION OF COUNSEL  
IN SUPPORT OF CROSS MOTION**

HEARING DATE: **May 10, 2016 @ 9:00 A.M.**

Bruce C. Truesdale, hereby certifies as follows:

- 1) I am an Attorney at Law of the State of New Jersey and this District, a Member of the above law firm and am charged with the protection of the Debtors' rights in this matter.
- 2) Debtors filed for Chapter 13 relief on September 28, 2012.
- 3) Creditor filed a Proof of Claim in December 2012 and subsequently a Notice of Mortgage Payment Change alleging *inter alia* an escrow deficiency due to differences in property taxes and the escrowed homeowner's insurance premium.
- 4) Debtors promptly filed an objection to the same and soon thereafter on March 20, 2013, the Court issued an Order reducing the Proof of Claim and the Notice of Mortgage Payment Change after finding the figures contained therein to be inaccurate. (*see exhibit A*)
- 5) Debtors continued to make mortgage payments consistent with the amount per the

Court's Order and with the Creditor's August 16, 2012 correspondence indicating that the Debtors' modified mortgage payment is \$1,138.63 per month.

6) Creditor now violates the stay by coming before the Court seeking Relief from the Automatic Stay, claiming a ten (10) month post-petition arrearage on a \$1,678.50 monthly mortgage payment amount.

7) Creditor has attempted to do an "end run" around the Court's March 20, 2013 Order by simply ignoring it.

8) It is respectfully requested that the Court enforce the March 2012 Order, deny the Creditor's motion for Relief from the Automatic Stay and impose sanctions and award Debtors damages for violation of the stay pursuant to 11 U.S.C. §§ 362(a), 362(k), respectively.

I hereby certify that the foregoing statements are true. If any of the foregoing statements are wilfully false, I realize that I am subject to punishment.

/s/ Bruce C. Truesdale

BRUCE C. TRUESDALE, ESQ.  
Attorney for Debtors

Dated: May 3, 2016